

MEMO ENDORSED**BATESCAREY**LLPJonathan R. Walton
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April 30, 2025

VIA E-MAILHon. Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square, Courtroom 443
New York, NY 10007USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/30/25**Re: Arch Specialty Insurance Company v. Project Renewal, Inc.**
Civil Action No.: 1:23-cv-10889-VEC

Dear Judge Caproni:

We respectfully submit this joint letter requesting an order extending the stay of proceedings in this case for a period of three months while the parties continue to pursue a resolution of this matter.

This is an insurance coverage dispute concerning the potential availability of coverage for a lawsuit, captioned *Ashleigh Skyers v. Project Renewal, Inc., et al.*, Index No. 20584/2019E, pending in the Supreme Court of the State of New York, County of Bronx (the “Underlying Lawsuit”). On September 25, 2024, Plaintiff Arch Specialty Insurance Company (“Arch”) filed a motion for summary judgment in this action seeking a declaration that the Arch policy’s Fungi and Bacteria Exclusion precludes coverage for the Underlying Lawsuit. On September 27, 2024, the Court ordered Defendant Project Renewal, Inc. (“Project Renewal”) to take a deposition of an Arch witness no later than October 31, 2024 and file an opposition to Arch’s motion for summary judgment no later than December 6, 2024. The parties wish to defer proceedings in this matter, including the Arch witness deposition and briefing of Arch’s motion for summary judgment, while the parties continue to pursue a potential resolution of this matter.

The parties continue to work to bring both this matter and the Underlying Lawsuit to a full and final resolution. Those steps include pressing the lawyers in the Underlying Lawsuit to move the case towards resolution. We expect the parties in the Underlying Lawsuit to proceed with and complete depositions soon. To avoid unnecessary litigation costs, further burden to the Court, and to provide the parties the necessary time to bring both this matter and the Underlying Lawsuit to a full and final resolution, the parties respectfully request entry of an additional three month stay of all deadlines.

Thank you for the Court’s attention to this matter.



BATESCAREY_{LLP}

Hon. Valerie E. Caproni
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Very truly yours,

/s/ Jonathan R. Walton

Jonathan R. Walton

/s/ Evan S. Schwartz

Evan S. Schwartz

Application GRANTED. This matter will remain stayed. The parties must provide a joint status report by no later than August 1, 2025.

SO ORDERED. 4/30/25

A handwritten signature in blue ink, reading 'Valerie Caproni'.

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE